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Honorable Judge Brian D Lynch  
Chapter 13

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

IN RE:

DICKSON USIM MANG

Debtor.

**CHAPTER 13 BANKRUPTCY**

**NO.: 15-40334-BDL**

**RESPONSE AND CONDITIONAL NON-  
OPPOSITION TO TRUSTEE'S MOTION  
FOR SALE OF REAL PROPERTY  
BY WELLS FARGO BANK, N.A.**

COMES NOW, Wells Fargo Bank, N.A., its successors in interest and assigns ("Creditor"), and responds as follows to the Trustee's motion for sale of real property, as applicable to the property located at 5419 Courtney St SE, Olympia, WA 98513: Creditor does not object to the sale *per se*, but objects to the entry of any order that would purport to require Creditor to accept any amount less than the full amount due and owing on its secured claim without Creditor's consent. Under 11 U.S.C. § 363(f), the trustee may sell property free and clear of any interest in such property of an entity other than the estate, only if –

- (1) applicable nonbankruptcy law permits sale of such property free and clear of such interest;
- (2) such entity consents;
- (3) such interest is a lien and the price at which such property is to be sold is greater than the aggregate value of all liens on such property;
- (4) such interest is in bona fide dispute; or
- (5) such entity could be compelled, in a legal or equitable proceeding, to accept a money satisfaction of such interest.

Here, any order that requires Creditor to accept less than the full amount due on the debt secured by the lien on the property the trustee proposes to sell would violate § 363(f)(2). To the

1 extent that it is clear that the order does not so require, Creditor does not object to the entry of the  
2 order.

3 DATED: May 27<sup>th</sup>, 2015.

4 **RCO LEGAL, P.S.**  
Attorneys for Creditor

5 /s/ James K. Miersma  
6 By: James K. Miersma, WASB #22062  
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